

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCES**

The item(s) checked below are appropriate:

XXX The following is the Notice of Appeal fee under 37 C.F.R § 1.17(e):

\_\_\_\_\_ a. other than small entity: Fee \$ 540.00

<u>  X  </u>	b. small entity:	Fee \$ 270.00
--------------	------------------	---------------

verified statement attached

\_\_\_\_\_ verified statement was filed \_\_\_\_\_.

\_\_\_\_\_ A petition under 37 C.F.R. § 1.136(a) for an extension of time for reply to the rejection was filed on \_\_\_\_\_ along with authorization to charge (\$60.00) for the fee for the extension of time and this notice of appeal is being filed within that extension period.

\_\_\_\_\_ A petition under 37 C.F.R. § 1.136(a) for an extension of time for reply to the rejection is enclosed along with authorization to charge (\$60.00) to credit card, Form PTO-2038 Credit Card Payment Form, for the fee for the extension of time.

\_\_\_\_\_ Enclosed is a check in the amount of \$ \_\_\_\_\_ for the Notice of Appeal fee.

\_\_\_\_\_ Please charge the Notice of Appeal fee to credit card.

  X   If any additional fee is required, please charge Deposit Account No. 503295.

If the Examiner has any questions, comments, or suggestions, the undersigned attorney would welcome and encourage a telephone conference at (512) 692-7297.

Respectfully submitted,

December 30, 2010

/Jeffrey S Schubert/

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jeffrey S Schubert, reg. no. 43098, cust. no.: 38518  
Schubert Law Group PLLC  
100 Congress Ave, Ste 2000  
Austin, Texas 78701  
512.692.7297 (tel) 512.301.7301 (fax)  
[jeff.schubert@sonlaw.com](mailto:jeff.schubert@sonlaw.com),  
<http://www.SchubertLG.com>  
Attorney for Applicant(s)